

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIO HENDERSON,

Petitioner,

CASE NO. 06-CV-11083

v.

KURT JONES

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Respondent.

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ORDER GRANTING MOTION TO FILE REPLY *INSTANTER*

Petitioner filed a Motion for Leave to File Reply *Instanter* on February 20, 2007, requesting that this Court accept his reply to the responsive pleading, which was filed on October 3, 2006. The Court's Order Requiring a Responsive Pleading directed Petitioner to file a reply within forty-five days of the date of the responsive pleading. However, based on Petitioner's motion and supporting brief, the Court finds that Petitioner's failure to file a timely reply was the result of excusable neglect. Given these circumstances, and the Court being fully advised in the premises,

IT IS ORDERED that Petitioner's motion is GRANTED, and the reply filed by Petitioner shall be accepted and considered by the Court.

s/Paul D. Borman

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: September 6, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 6, 2007.

s/Denise Goodine

Case Manager